

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.2147 OF 2005

M/s.Group 4 Securities
Guarding Pvt.Ltd. and Ors. ..Petitioners

Vs.

State & Anr. ..Respondents

...
Ms.Sucharita Patra Advocate for Petitioners
Mr.R.S.Khadapakar A.P.P. for the State
...

CORAM: SMT.V.K.TAHILRAMANI, J.

DATE : SEPT. 26, 2005

P.C.

1. Heard the learned advocate for the petitioners and the learned A.P.P. for the State.

2. The petitioners are seeking quashing of Summons issued by the learned Judicial Magistrate F.C.Court, Kirkee Pune in S.C.No.1028 of 2005. In the said case process was issued against the Petitioners under Sections 23 and 24 of Contract Labour (Regulation and Abolition) Act, 1970.

3. For the reasons recorded in the decision of this Court in the case of **V.K.Jain and others Vs. Pratap V. Padode** reported in 2005(3) Mh.L.J.778, I am of the opinion that the petitioners have an efficacious remedy of preferring revision against the order of Magistrate issuing process. Hence, in my view, it would be appropriate that the petitioners prefer a revision before the concerned Sessions Court against the order of the Magistrate issuing process.

4. Liberty is granted to the petitioners to prefer the necessary revision before the concerned Sessions Court. The learned advocate for the petitioners makes a statement that the necessary revision will be preferred within five weeks from today. I am informed that matter is kept on 27.9.2005. In view of this statement, the trial Court shall not proceed with the trial for a period of five weeks.

5. On the necessary revision being preferred by the petitioners before the concerned Sessions

Court, the concerned Sessions Court shall dispose of the matter on merits after hearing the necessary parties.

6. Writ Petition is disposed of.

7. Authenticated copy be issued to the parties.

[V.K.TAHILRAMANI, J.]